11-18-02   2171

Attorney's Docket No.: ___3866.P005___   Patent

In re the Application of: ___Ali Kutay et al.___
(inventor(s))

Application No.: ___09/875,416___

Filed: ___June 5, 2001___

For: ___SYSTEM AND METHOD FOR ACCESSING, ORGANIZING, AND PRESENTING DATA___
(title)

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

SIR: Transmitted herewith is:

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1.   Renewed Petition to Make Special for the above application.

Technology Center 2100

If any additional fee is required, please charge Deposit Account No. 02-2666.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: __November 15, 2002__

_____
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Reg. No. __46,244__

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231
on _____November 15, 2002_____.
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_____Patricia M. Richard_____
                Name of Person Mailing Correspondence   11/15/02
_____   _____
            Signature   Date

-1-   (TNF/pab 10/01/01)

Attorney's Docket No.: 3866.P005   <u>Patent</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of:

    Ali Kutay, et al.   Examiner: Not yet assigned

Application No.: 09/875,416   Art Group: Not yet assigned

Filing Date: June 5, 2001

For: SYSTEM AND METHOD FOR
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       PRESENTING DATA

Commissioner for Patents
 Washington, D.C. 20231

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Technology Center 2100

PETITION TO MAKE SPECIAL FOR NEW APPLICATION
(37 C.F.R. § 1.102(d), MPEP § 708.02, VIII)

Dear Sir/Madam:

(A) FEE

In response to the Decision on Petition for Accelerated Examination Under M.P.E.P. §708.02(VIII), mailed on October 3, 2002, Applicants hereby submit a renewed petition to make this application special. This application has not received any examination by an Examiner.

The Commissioner is hereby authorized to charge payment of any fee due under 37 C.F.R. § 1.16 and § 1.17 associated with this communication or any future communication in this or any related application filed pursuant to 37 C.F.R. § 1.53 or credit any overpayment to Deposit Account No. 02-2666.

"Express Mail" mailing label number:_____EV024657542US_____
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I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Commissioner of Patents and Trademarks, Washington, D. C. 20231
_____Patricia M. Richard_____
(Typed or printed name of person mailing paper or fee)
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(Signature of person mailing paper or fee)
_____
(Date signed)

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(B) CLAIMS

All claims in this application are directed to a single invention.

If the Office determines that all the claims presented are not obviously directed to a single invention, Applicants will make an election without traverse as a prerequisite to the grant of special status.

(C) SEARCH

A search was made by:
    [ ]   the inventor
    [ ]   an attorney or agent
    [ ]   a professional searcher
    [ ]   a foreign patent office
    [X]   USPTO as ISA for PCT/US01/18213

The field of search included:
    [X]   classes/subclasses: 707/1, 2, 5, 501.1; 345/760-763, 809
    [ ]   publications
    [ ]   foreign patents
    [X]   electronic databases: EAST, IEEE

(D) REFERENCES

The selected references were listed in an Information Disclosure Statement, which was submitted for consideration to the United States Patent and Trademark Office on December 27, 2001. Applicants respectfully request that all references be considered and entered into the record of the present application.

(E) DETAILED DISCUSSION OF THE PATENT APPLICATION AND REFERENCES

A detailed discussion of the references deemed most closely related to the subject matter encompassed by the claims is provided below.

Each reference identified in the Information Disclosure Statement fails to anticipate the present invention as claimed. To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v.*

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Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Furthermore, the references identified in the Information Disclosure Statement fail to establish a prima facie case of obviousness, as the references, taken individually or in combination, neither teach nor suggest the present invention as claimed. Moreover, there is no teaching or suggestion to combine these references, and even assuming there is such teaching or suggestion, no combination of these references teaches or suggests the present invention as claimed. To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck,* 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Therefore, Applicants respectfully submit that all pending claims are distinguishable over the cited references, taken alone or in combination, and should be allowed. A description of the invention is hereinafter presented, which is followed by a detailed discussion of each of the cited references and by reasons why the claimed subject matter is patentable over each of these references.

Patent Application

The present invention relates to a system and method for accessing, organizing, and presenting data. A first user interface area is presented to enable a user to define a data reference structure for one or more data sources from multiple disparate data sources, the data sources containing data to be provided to the user. A second user interface area is presented to enable the user to create one or more data structures corresponding to the data reference structure and connected to the one or more data sources. A third user interface area is further presented to enable the user to define application business logic to be performed on data in connection with the one or more data structures.

1. <u>U.S. Patent No. 5,793,365 to Tang et al. (hereinafter "Tang")</u>

Tang discloses a user interface display and system that includes a visual representation of members of a workgroup and, coupled to the user interface display, various communication mechanisms fro contacting any of the workgroup members and transferring data to them. *See* col. 3, lines 32-38. For each member, there is a visual indication of the availability of that member to be contacted. One of the communication mechanisms is an improved chat room that allows members to store and share documents, files, and that like. *See* col. 3, lines 59-65.

Each and every element of the independent claims of the present application is not found, either expressly or inherently described, in Tang. Tang fails to teach or suggest a second user interface area presented to enable a user to create one or more data structures corresponding to a data reference structure for at least on data source containing data. Furthermore, Tang fails to teach or suggest a third user interface area presented to enable the user to define application business logic to be performed on the data in connection with the one or more data structures. At most, Tang teaches one user interface display that includes multiple icons, each icon representing a member of a workgroup, the user interface display enabling communications among the members and posting of documents or files for common access. Therefore, Applicants respectfully submit that Tang fails to teach, suggest, or render obvious the present application as claimed.

2. <u>U.S. Patent No. 5,819,273 to Vora et al. (hereinafter "Vora")</u>

Vora discloses a method and apparatus for maintaining information in a network of computer systems and for controlling the display of searchable information. Users may search through text documents by specifying key words to define a search request. A server receives and executes the search requests on data stored in a mass memory device. *See* col. 6, lines 35-66. The search results are displayed for the users within one window. *See* col. 7, lines 2-4.

Each and every element of the independent claims of the present application is not found, either expressly or inherently described, in Vora. Vora fails to teach or suggest a second

user interface area presented to enable a user to create one or more data structures corresponding to a data reference structure for at least on data source containing data. Furthermore, Vora fails to teach or suggest a third user interface area presented to enable the user to define application business logic to be performed on the data in connection with the one or more data structures. Looking at the paragraph cited in the Search Report, i.e. col. 18, lines 29-67, Vora teaches at most that a user of the server system may hide the name of an information source in order to remove the source from the display device of the client computer systems and to make it unavailable for searching. Therefore, Applicants respectfully submit that Vora fails to teach, suggest, or render obvious the present application as claimed.

3. U.S. Patent No. 5,880,730 to Durand (hereinafter "Durand")

Durand discloses a system and method for automatically creating a desktop icon for access to a remote resource. A text drop event is identified in a desktop area of a user interface and the associated dropped text is analyzed. The text drop event can include a user dragging and dropping text into the desktop area, pasting text into the desktop area, or otherwise locating text within the desktop area. If the dropped text is a recognized format for a path name to a remote resource, then a desktop icon is created for access to the remote resource based upon the recognized format and the dropped text. *See* col. 1, lines 37-48.

Each and every element of the independent claims of the present application is not found, either expressly or inherently described, in Durand. Durand fails to teach or suggest a second user interface area presented to enable a user to create one or more data structures corresponding to a data reference structure for at least on data source containing data. Furthermore, Durand fails to teach or suggest a third user interface area presented to enable the user to define application business logic to be performed on the data in connection with the one or more data structures. Looking at the citations in the Search Report, i.e. the abstract, and figs. 1, and 4-7, Durand teaches at most automatic creation of desktop icons within one user interface in order to access a remote resource. Therefore, Applicants respectfully submit that Durand fails to teach, suggest, or render obvious the present application as claimed.

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4. U.S. Patent No. 5,890,170 to Sidana (hereinafter "Sidana")

Sidana discloses a method, apparatus, and system for allowing a user to create and add information to a Web page. A home page document template is created in a file system of an HTTP server. The user drags and drops icons representing the information and graphical hypertextual links to the information are created in response to the dragging and dropping actions. *See* col. 2, line 49 through col. 3, line 8.

Each and every element of the independent claims of the present application is not found, either expressly or inherently described, in Sidana. Sidana fails to teach or suggest a second user interface area presented to enable a user to create one or more data structures corresponding to a data reference structure for at least on data source containing data. Furthermore, Sidana fails to teach or suggest a third user interface area presented to enable the user to define application business logic to be performed on the data in connection with the one or more data structures. At most, Sidana teaches a method for publishing electronic documents wherein the user may create a Web page and/or modify its contents by dragging and dropping file icons representing information to be added. Therefore, Applicants respectfully submit that Sidana fails to teach, suggest, or render obvious the present application as claimed.

5. U.S. Patent No. 5,491,795 to Beaudet et al. (hereinafter "Beaudet")

Beaudet discloses a window management system including a control window containing icons that permit the user to perform a number of operations on the parameters of product windows, whether or not those windows are actually open at the time the operations are registered on the icons. Beaudet also discloses miniature windows associated with each icon that can be displayed in the control window through which the various window operations can be performed. The miniature windows are dynamic and reflect the input of both control and parameter changes made directly to the associated product windows. *See* col. 2, lines 13-23. Window management operations, such as moving, sizing, restoring, and closing performed on either the iconic or miniature window representations in the control window are

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transmitted directly to the contents of the represented windows and are implemented, whether these windows are opened or closed at the time that the operations are performed. *See* Abstract.

Each and every element of the independent claims of the present application is not found, either expressly or inherently described, in Beaudet. Beaudet fails to teach or suggest a second user interface area presented to enable a user to create one or more data structures corresponding to a data reference structure for at least on data source containing data. Furthermore, Beaudet fails to teach or suggest a third user interface area presented to enable the user to define application business logic to be performed on the data in connection with the one or more data structures. At most, in the abstract and in Figures 1-7, Beaudet teaches a user interface system to perform window management operations such as, for example, moving, sizing, restoring, and closing, on multiple windows using an icon or a miniature window. Therefore, Applicants respectfully submit that Beaudet fails to teach, suggest, or render obvious the present application as claimed.

6. U.S. Patent No. 5,659,742 to Beattie et al. (hereinafter "Beattie")

Beattie discloses a method and apparatus for identifying textual documents and multimedia files corresponding to a search topic. The searching/retrieval system can query a library or database and identify text documents and multimedia files stored on the library or database that are relevant to the query. *See* col. 2, lines 57-61. The searching/retrieval system accepts the query and returns a single search result list, which is presented in a format that enables the user to identify which filed are most relevant to the query topic. *See* col. 2, lines 62-67.

Each and every element of the independent claims of the present application is not found, either expressly or inherently described, in Beattie. Beattie fails to teach or suggest a second user interface area presented to enable a user to create one or more data structures corresponding to a data reference structure for at least on data source containing data. Furthermore, Beattie fails to teach or suggest a third user interface area presented to enable the

user to define application business logic to be performed on the data in connection with the one or more data structures. Looking at the citations in the Search Report, for example, abstract and col. 13, lines 1-30, Beattie teaches at most a retrieval system for text and multimedia documents, wherein each multimedia file is stored along with a separate portion of text in a database, the associated text field being used as the basis for generating document indexing information to be stored in a document index database. Therefore, Applicants respectfully submit that Beattie fails to teach, suggest, or render obvious the present application as claimed.

7. U.S. Patent No. 5,999,938 to Bliss et al. (hereinafter "Bliss")

Bliss discloses a system and method for creating a new destination data structure in a memory populated with data from an existing source data structure. A representation of the source data structure is selected, dragged over and dropped onto an icon representing a program module. The source and the program module are each associated with a type of data structure. Once the destination data structure is created, the data within the source data structure is transformed to populate predetermined fields of the destination data structure. *See* Abstract.

Each and every element of the independent claims of the present application is not found, either expressly or inherently described, in Bliss. Bliss fails to teach or suggest a second user interface area presented to enable a user to create one or more data structures corresponding to a data reference structure for at least on data source containing data. Furthermore, Bliss fails to teach or suggest a third user interface area presented to enable the user to define application business logic to be performed on the data in connection with the one or more data structures. At most, Bliss teaches the creating of a destination data structure in response to a simple drag and drop operation on a representation of a source data structure. The system then populates the fields of the destination data structure by determining which of the fields in the destination data structure corresponds to a field of the source data structure and subsequently by loading the data from the field of the source data structure into the corresponding field of the destination data structure. Therefore, Applicants respectfully submit

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that Bliss fails to teach, suggest, or render obvious the present application as claimed.

8. U.S. Patent No. 5,751,287 to Hahn et al. (hereinafter "Hahn")

Hahn discloses a user interface system for organizing and manipulating documents. The user interface presents document organization objects, such as a file cabinet, file drawers, file folder and documents. A file cabinet image is displayed on a display, the file cabinet image including a plurality of file drawer images. A file drawer image is selected from the plurality of file drawer images in response to a first plurality of signals from a user input device. A plurality of file folder images associated with the selected file drawer image is subsequently displayed on the display. *See* col. 2, lines 56-64.

Each and every element of the independent claims of the present application is not found, either expressly or inherently described, in Hahn. Hahn fails to teach or suggest a second user interface area presented to enable a user to create one or more data structures corresponding to a data reference structure for at least on data source containing data. Furthermore, Hahn fails to teach or suggest a third user interface area presented to enable the user to define application business logic to be performed on the data in connection with the one or more data structures. Looking at the cite reference, Hahn teaches at most one graphical user interface for organizing and manipulating documents in a computer system, the graphical user interface using multiple, easy to understand, images to depict an intuitive electronic filing system. Therefore, Applicants respectfully submit that Hahn fails to teach, suggest, or render obvious the present application as claimed.

9. U.S. Patent No. 5,974,416 to Anand et al. (hereinafter "Anand")

Anand discloses a method of creating a tabular data stream for sending rows of data between a client process running on a client computer and a server process running on a server computer via a network. *See* Abstract. The tabular data stream format is defined for marshaling tabular data for transfer between clients and servers coupled together. *See* col. 2, lines 3-21.

Each and every element of the independent claims of the present application is not

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found, either expressly or inherently described, in Anand. Anand fails to teach or suggest a second user interface area presented to enable a user to create one or more data structures corresponding to a data reference structure for at least on data source containing data. Furthermore, Anand fails to teach or suggest a third user interface area presented to enable the user to define application business logic to be performed on the data in connection with the one or more data structures. Anand only teaches transmission of tabular data between client and server computer using a tabular data stream format. Therefore, Applicants respectfully submit that Anand fails to teach, suggest, or render obvious the present application as claimed.

10. U.S. Patent No. 5,430,839 to Jagannathan et al. (hereinafter "Jagannathan")

Jagannathan discloses a data screen method for a windowed user interface. The method is used with a system that allows the display of multiple windows on a computer screen, wherein each window displays data for a application or a portion of an application. *See* col. 1, lines 8-13. Each window is identified as being of a particular object type and each object type is associated with an icon that is continuously displayed on the screen. Clicking on an icon cycles only the windows of that particular object type. A particular window is found and brought into display by clicking on the icon associated with the object type of the window being sought until the window appears.

Each and every element of the independent claims of the present application is not found, either expressly or inherently described, in Jagannathan. Jagannathan fails to teach or suggest a second user interface area presented to enable a user to create one or more data structures corresponding to a data reference structure for at least on data source containing data. Furthermore, Jagannathan fails to teach or suggest a third user interface area presented to enable the user to define application business logic to be performed on the data in connection with the one or more data structures. Looking at the cited reference, Jagannathan teaches at most a data entry screen method that allows display of multiple windows on a computer screen and searching for a particular window using an object type associated with multiple windows including that particular window. Therefore, Applicants respectfully submit that Jagannathan

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fails to teach, suggest, or render obvious the present application as claimed.

11. "INTERFACING ONLINE BIBLIOGRAPHIC DATABASE WITH Z39.50," by LUDWIG et al., (hereinafter "Ludwig")

Ludwig discloses a system that interfaces online bibliographic databases with clients using a Z39.50 protocol standard. *See* Abstract. One portion of the system is a Z39.50 server, which can be accessed by every client. The client's requests are translated into commands of the database query language and are transmitted to the database. The results received from the database are analyzed, transformed into the appropriate Z39.50 protocol data units, and sent back to the client. *Id.*

Each and every element of the independent claims of the present application is not found, either expressly or inherently described, in Ludwig. Ludwig fails to teach or suggest a second user interface area presented to enable a user to create one or more data structures corresponding to a data reference structure for at least on data source containing data. Furthermore, Ludwig fails to teach or suggest a third user interface area presented to enable the user to define application business logic to be performed on the data in connection with the one or more data structures. At most, Ludwig teaches a system that acts as a gateway between Z39.50 clients and online bibliographic databases in order to enable access to the databases. Therefore, Applicants respectfully submit that Ludwig fails to teach, suggest, or render obvious the present application as claimed.

12. "EXPOSING APPLICATION ALTERNATIVES," by Keleher et al. (hereinafter "Keleher")

Keleher discloses an interface to allow application to export tuning alternatives to a higher-level system By exposing different parameters that can be changed at runtime, applications can be made to adapt to changes in their execution environment due to other programs, or the addition or deletion of nodes, communication links etc. An integral part of this interface is that an application not only exposes its options, but also the resource utilization of each option and the effect that the option will have on the application's performance. *See*

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Abstract.

Each and every element of the independent claims of the present application is not found, either expressly or inherently described, in Keleher. Keleher fails to teach or suggest a second user interface area presented to enable a user to create one or more data structures corresponding to a data reference structure for at least on data source containing data. Furthermore, Keleher fails to teach or suggest a third user interface area presented to enable the user to define application business logic to be performed on the data in connection with the one or more data structures. Therefore, Applicants respectfully submit that Keleher fails to teach, suggest, or render obvious the present application as claimed.
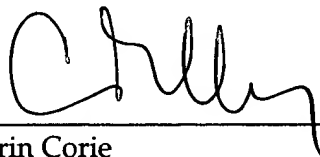
Conclusion

For at least the reasons discussed herein, the above-cited references fail to establish a prima facie case of anticipation or obviousness, as the references, taken individually or in combination, fail to teach, suggest, or render obvious the present invention as claimed. Therefore, Applicants believe that claims 1-110 are patentable over the cited references and should be allowed.

In view of the above remarks, the application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the application, the Examiner is invited to call the undersigned attorney at (408) 947-8200 ext. 206.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: November 15, 2002

_____
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